

3

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled An HIV Transcription Repressor And Compositions and Methods Based Thereon the specification of which:



is attached hereto.

was filed on July 6, 2000

as United States Application Number 09/611,949

or PCT International Application Number _____

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>	
<u>Number</u>	<u>Country</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

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(Application Number)

Filing Date

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<u>09/355,101</u>	<u>July 22, 1999</u>	<u>pending</u>
(Application Number)	Filing Date	(Status – patented, pending, abandoned)

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I hereby appoint Toni-Junell Herbert, Registration No. 34,348, Mark R. Shanks, Registration No. 33,781, Simon D. Roberts, Certificate of Limited Recognition, David W. Woodward, Registration No. 35,020, Keith D. Hutchinson, Registration No. 43,687, Mark J. Pino, Registration No. 43,858, Joseph G. Contrera, Registration No. 44,628, Chalin A. Smith, Registration No. 41,569, Shelly Guest Cermak, Registration No. 39,571, Patrick Stanzione, Registration No. 40,434, Suzannah K. Sundby, Registration No. 43,172, of SHANKS & HERBERT, telephone (703) 683-3600, with a mailing address at:

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1033 N. Fairfax St., Suite 306
Alexandria, VA 22314

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

The undersigned hereby authorizes the U.S. Attorneys named herein to accept and follow instructions from undersigned's assignee, if any, and/or, if the undersigned is not a resident of the United States, the undersigned's domestic attorney, patent attorney or patent agent, as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys and the undersigned. In the event of a change in the person(s) from whom instructions may be taken, the U.S. attorneys named herein will be so notified by the undersigned.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

Full Name of Sole/First Inventor: David M. MARGOLIS

Inventor's Signature: _____ Date: _____

Residence: Dallas, Texas Citizenship: U.S.
 (City, State) (Country)

Post Office Address: 4512 Mockingbird Lane, Dallas, Texas 75205, U.S.

Full Name of Second or Co-Inventor: Fabio ROMERIO

Inventor's Signature: _____ Date: _____

Residence: Baltimore, Maryland Citizenship: U.S.
(City, State) (Country)

Post Office Address: 519 West Pratt Street, Apt. 710, Baltimore, Maryland, U.S.

Full Name of Third or Co-Inventor: Jason J. COULL

Inventor's Signature:  Date: 10/19/00

Residence: Dallas, Texas Citizenship: United Kingdom
(City, State) (Country)

Post Office Address: 4606 Cedar Springs Road #334, Dallas, Texas 75219, U.S.

#3

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(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
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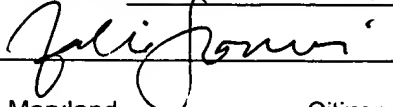
Full Name of Sole/First Inventor: David M. MARGOLIS

Inventor's Signature: _____ Date: _____

Residence: Dallas, Texas Citizenship: U.S.
 (City, State) (Country)

Post Office Address: 4512 Mockingbird Lane, Dallas, Texas 75205, U.S.

Full Name of Second or Co-Inventor: Fabio ROMERIO

Inventor's Signature: 

Date: 6/17/2000

Residence: Baltimore, Maryland
(City, State)

Citizenship: ~~U.S.~~ ITALY
(Country)

Post Office Address: 519 West Pratt Street, Apt. 710, Baltimore, Maryland, U.S.

Full Name of Third or Co-Inventor: Jason J. COULL

Inventor's Signature: _____

Date: _____

Residence: Dallas, Texas
(City, State)

Citizenship: United Kingdom
(Country)

Post Office Address: 4606 Cedar Springs Road #334, Dallas, Texas 75219, U.S.

Applicant or Patentee: David M. Margolis, et al. Attorney: Chalin Smith
Appl. or Patent No.: 09/611,949 Docket No.: 0184-0001CIP
Filed or Issued: July 6, 2000
For: An HIV Transcription Repressor And Compositions and Methods Based Thereon

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§ 1.9(e) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION University of Maryland Biotechnology Institute

ADDRESS OF ORGANIZATION 725 W. Lombard Street, Baltimore, Maryland 21201

TYPE OF ORGANIZATION

- ☒ University or other institution of higher education
☐ Tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3))
☐ Nonprofit scientific or educational under statute of state of The United States of America
(Name of state _____)
(Citation of statute _____)
☐ Would qualify as tax exempt under Internal Revenue Code (26 U.S.C. §§ 501(a) and 501(c)(3)) if located in The United States of America
☐ Would qualify as nonprofit scientific or educational under statute of state of The United States of America if located in The United States of America
(Name of state _____)
(Citation of statute _____)



I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention entitled HIV Transcription Repressor Complex and Methods Based Thereon by inventor(s) David M. MARGOLIS, Fabio ROMERIO and Jason J. COULL described in

- ☐ the specification filed herewith
☒ application no. 09/611,949, filed July 6, 2000
☐ patent no. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention, or by concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.28(b))

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

NAME _____
ADDRESS _____
() INDIVIDUAL () SMALL BUSINESS CONCERN () NONPROFIT ORGNIZATION

NAME _____
ADDRESS _____
() INDIVIDUAL () SMALL BUSINESS CONCERN () NONPROFIT ORGNIZATION

NAME _____
ADDRESS _____
() INDIVIDUAL () SMALL BUSINESS CONCERN () NONPROFIT ORGNIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Joseph B. Perrone
TITLE IN ORGANIZATION Vice President for Business Development
ADDRESS OF PERSON SIGNING Columbus Center, 701 E. Pratt St. Suite 200
Baltimore, MD 21202-3101

SIGNATURE

Joseph B. Perrone

Date: 27 Nov. 2000

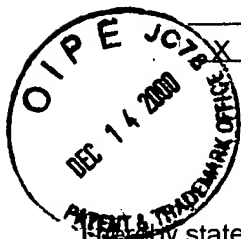
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Full Name of Sole/First Inventor: David M. MARGOLIS

Inventor's Signature: *David M. Margolis*

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